

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Robert Martin,)	
)	
Plaintiff,)	Civil Action No. 1:20-874-RMG
)	
vs.)	
)	
Andrew Saul, Commissioner)	
of Social Security,)	ORDER
)	
Defendant.)	
)	
)	
)	

This matter comes before the Court for judicial review of the final decision of the Commissioner of Social Security denying Plaintiff’s application for Supplemental Security Income (“SSI”) and Disability Insurance Benefits (“DIB”). In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to the United States Magistrate Judge for pretrial handling. The Magistrate Judge issued a Report and Recommendation (“R & R”) on December 16, 2020, recommending that the decision of the Commissioner be reversed and remanded to the agency because substantial evidence did not support the Administrative Law Judge’s evaluation and weighing of the opinions of Plaintiff’s treating physician, Dr. Jacobus. (Dkt. No. 14 at 56-73). The Commissioner has advised the Court that he does not intend to file objections to the R & R. (Dkt. No. 15).

The Court **ADOPTS** the Report and Recommendation as the order of this Court, **REVERSES** the decision of the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g), and **REMANDS** the matter to the Commissioner for further proceedings consistent with this order.

AND IT IS SO ORDERED.

S/ Richard Mark Gergel
Richard Mark Gergel
United States District Judge

Charleston, South Carolina
December 23, 2020